



**Request for City Council Committee Action  
From the Department of Public Works**

**Date:** November 8, 2012

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Subject:** **Penn Avenue S Phase I (MN-62 to 100 feet north of 54<sup>th</sup> Street W)  
Reconstruction Project No 6748: Designation, Cost Estimate, and Set  
Public Hearings**

**Recommendation:**

- A. Passage of a Resolution designating the location, streets and improvements proposed to be made in the first phase of the Penn Avenue S Reconstruction Project.
- B. Adoption of a Committee Report receiving the cost estimate of \$8,500,000 and the list of benefited properties, directing the City Engineer to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2013 Uniform Assessment Rates and directing the City Clerk to give notice of a Project Approval and Assessment Public Hearing to be held before the Transportation and Public Works Committee at the last meeting of the Committee to be scheduled for January, 2013.
- C. Passage of a Resolution designating the location, streets and improvements proposed to be made in the first phase of the Penn Avenue S Street Lighting Project.
- D. Adoption of a Committee Report receiving the cost estimate of \$600,000 for street lighting improvements and the list of benefited properties, directing the City Engineer to prepare a proposed Street Lighting Special Improvement Assessment against the list of benefited properties and directing the City Clerk to give notice of a Project Approval and Assessment Public Hearing to be held before the Transportation and Public Works Committee at the last meeting of the Committee to be scheduled for January, 2013.
- E. Setting a public hearing to be held before the Transportation and Public Works Committee at the last meeting of the Committee to be scheduled for January 2013 to consider the abandonment and removal of areaways in conflict with the street and street lighting projects and directing staff to give notice in accordance with the provisions of Section 95.90 of the Minneapolis Code of Ordinances

These Resolutions may be authorized for summary publication.

**Previous Directives:**

- April 13, 2012 Council adoption of the T&PW Committee report approving the layout for Penn Avenue S (MN-62 to 50<sup>th</sup> St W)

**Prepared by:** Suzette Hjermstad, RE Investigator II, TP & E, 673-2401  
Jeff Handeland, P.E., Project Engineer, T P & E, 673-2363

**Approved by:**

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Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Jeff Handeland, Project Engineer, Transportation Planning & Engineering

**Reviews**

Permanent Review Committee (PRC)	Approval <input type="checkbox"/>	Not applicable <input checked="" type="checkbox"/>
Civil Rights	Approval <input type="checkbox"/>	Not applicable <input checked="" type="checkbox"/>
Policy review Group (PRG)	Approval <input type="checkbox"/>	Not applicable <input checked="" type="checkbox"/>

**Financial Impact**

Special Assessments to Benefited Properties

**Community Impact**

**Neighborhood Notification:**

**City Goals:** The City's infrastructure will be well-maintained; streets will be destinations.

**Comprehensive Plan:** Consistent

**Zoning Code:** Not Applicable

**Background/Supporting Information:**

The purpose of this letter is to designate the location, streets and improvements and establish the special assessment improvement proceedings for the first phase of the street reconstruction and street lighting improvements. The first phase is anticipated to be constructed in 2013.

Street Reconstruction Project

The location of the street reconstruction project is Penn Avenue S between MN-62 and about 100 feet north of 54<sup>th</sup> Street W. Penn Avenue S at this location is a Municipal State Aid Roadway (MSA 426). The proposed street reconstruction plan includes pavement, curb and gutter, storm drain, signals, signing, striping and related items and work.

As provided in Chapter 10, Section 6 of the City Charter, submitted herewith is a list of parcels with owner's names, as nearly as can be readily ascertained, which would be benefited by and assessed for the Penn Avenue S Street Reconstruction Project.

Also submitted is a cost estimate of \$8,500,000 for the Penn Avenue S Street Reconstruction Project, which will be partially reimbursed by Municipal State Aid funds. The remaining budget is funded by net debt bonds, assessment bonds and sewer revenue.

The street reconstruction special assessments would be determined by applying the 2013 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street.

Street Lighting Project

Per the City of Minneapolis Street Lighting Policy, a City street lighting system will be installed with all street reconstruction projects, unless 70% of the affected properties (in a Pedestrian Priority Corridor) petition out the lighting. Petition forms were mailed to all affected property owners. Signatures representing 63% of the property in the influence zone were returned by the due date printed on the petition from property owners who were not in support of the project. As

of October 26, 2012, signatures representing 69% of the property in the influence zone were returned from property owners who were not in support of the project. The proposed street lighting project follows the adopted Minneapolis Street Lighting Policy. Therefore, staff recommends street lights be installed along the first Phase of the Penn Avenue South reconstruction project. The proposed street lighting project is for a City street lighting system consisting of:

- fifteen-foot-tall lantern-style lights soldiered with thirty-foot-tall modern shoe box-style lights between MN-62 and 60<sup>th</sup> Street W
- fifteen-foot-tall lantern-style lights between 60<sup>th</sup> Street W and 100 feet north of 54<sup>th</sup> Street W
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The total estimated street lighting cost is \$600,000. The maximum amount to be assessed will be \$600,000.

As provided in Chapter 10, Section 6, of the city Charter, submitted herewith is a list of parcels with owner's names, as nearly as can be readily ascertained, which would be benefited by and assessed for the Penn Avenue S Street Lighting Project.

The proposed assessment method consists of calculation of land area of benefited parcels located within the street influence zone along the improved streets. The lighting levels for this proposed project are classified as standard. The annual maintenance and operation costs are to be paid by property tax revenue and the city-wide street lighting fee which is assessed to non-property tax paying properties.

#### Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street construction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. It is our recommendation that this areaway public hearing be held in conjunction with the Penn Avenue S Project. Prior to the areaway public hearing notices being given, the City Engineer will have provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment 1 – Project Map

Cc: Jack Qvale, Secretary, Board of Estimate and Taxation

# ATTACHMENT 1

## PROJECT MAP



- 2013 Construction
- 2014 Construction

